

NO. 24264

IN THE SUPREME COURT OF THE STATE OF HAWAII

WADE ALAN K. KALILI, SR. and DARSE
LYNN KALILI, Petitioners-Appellees

vs.

PETER MCLAREN and JEANETTE MCLAREN,
Respondents-Appellants

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(S.P. NO. 00-120SH)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama,
Ramil, and Acoba, JJ.)

Respondent-Appellant Peter McLaren appeals from the judgment entered on April 12, 2001 by the district court of the third circuit¹ (the court), enjoining him from harassing Plaintiff-Appellee Wade Alan K. Kalili, Sr. for a period of one year. On appeal, Appellant argues only that the evidence does not support the court's findings of fact and conclusions of law granting the order. However, the subject April 12, 2001 order granting the injunction against harassment expired on April 13, 2002. Accordingly, the appeal is moot. See Wong v. Board of Regents, 62 Haw. 391, 394-95, 616 P.2d 201, 203-04 (1980) ("The duty of this court . . . is to decide actual controversies by a judgment which can be carried into effect, and not to give

¹ The Honorable Barbara T. Takase presided over this matter.

opinions upon moot questions or abstract propositions, or to declare principles or rules of law which cannot affect the matter in issue in the case before it." (Citations omitted.)).

Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed as moot.

DATED: Honolulu, Hawai'i, October 15, 2002.

On the briefs:

Nathan R. Brenner for
respondent-appellant
Peter McLaren.

Harry Eliason for
petitioner-appellee
Wade Alan K. Kalili, Sr.